

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re REISSUE application of:**

FAOUR, J. et al.

Serial No.: N/A

Filed: N/A

Group Art Unit: N/A

Examiner: N/A

**Based Upon:**

Patent No.: 6,004,582

Issued: December 21, 1999

Application Serial No.: 09/086,871

Filed: May 29, 1998

For: Multi-layered osmotic device

BOX REISSUE

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

Sir:

"EXPRESS MAIL" MAILING LABEL NUMBER ET 529723091 US

DATE OF DEPOSIT: DECEMBER 3, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 (as modified on 11/16/2001) on the date indicated above and is addressed to Box REISSUE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

RICK MATOS

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

CONSENT OF ASSIGNEE AND STATEMENT UNDER 37 C.F.R. 3.73(b)

OSMOTICA CORP., a company incorporated under the laws of the British Virgin Islands, consents to the reissue of the above-identified patent and states that it is the assignee of the entire right, title and interest in and to the invention covered by the patent application/patent identified above by virtue of a chain of assignment from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: FAOUR, J. and MAYORGA, J. to: Laboratorios Phoenix U.S.A., Inc.

The assignment was recorded in the United States Patent and Trademark Office at Reel 9863, Frame 0138 on April 1, 1999 and at Reel 010773, Frame 0116 on April 24, 2000.

A copy of the corresponding Notices of Recordation is attached.

2. From: Laboratorios Phoenix U.S.A., Inc. to: Osmotica Corp.

The assignment was recorded in the United States Patent and Trademark Office at Reel 012110, Frame 0782 on August 20, 2001.


A copy of the corresponding Notice of Recordation is attached.

1000472-120301

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. Enclosed is a copy of an Appointment of First Director and a Certificate of Incumbency of Osmotica Corp. identifying InterCorp Services Inc. as the sole Director and Secretary of Osmotica Corp. Also enclosed is a copy of a Certificate of Incumbency of InterCorp Services Inc. confirming that Abdiel Mansfield is authorized to act on its behalf.

Respectfully submitted,

Date: November 19, 2001



Abdiel Mansfield (for and on behalf of InterCorp Services Inc., which is sole Director and Secretary of Osmotica Corp.)

1000472 "120301  
FOE02T" 224001



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 01, 2001

PTAS



\*101883180A\*

INNOVAR, L.L.C.  
RICK MATOS  
P.O. BOX 250647  
PLANO, TX 75025-0647

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/20/2001

REEL/FRAME: 012110/0782  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

LABORATORIOS PHOENIX U.S.A., INC.      DOC DATE: 05/16/2001

**ASSIGNEE:**

OSMOTICA CORP.  
C/O ALFARO, FERRER, RAMIREZ &  
ALEMAN (B.V.I.) LTD  
R.G. HODGE PLAZA, SECOND FLOOR,  
UPPER MAIN STREET  
ROAD TOWN, TORTOLA  
BR.VIRGIN  
ISLANDS

SERIAL NUMBER: 09086871  
PATENT NUMBER: 6004582

FILING DATE: 05/29/1998  
ISSUE DATE: 12/21/1999



012110/0782 PAGE 2

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 12, 2000

PTAS

INNOVAR, L.L.C.  
RICK MATOS  
P.O. BOX 250647  
PLANO, TEXAS 75025-0647



\*101355952A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/24/2000

REEL/FRAME: 010773/0116  
NUMBER OF PAGES: 7

BRIEF: CORRECTING ASSIGNEE'S DOMICILE AND STATE OF INCORPORATION,  
RECORDED AT REEL 9863, FRAME 0138, FILED 04/01/1999.

**ASSIGNOR:**

FAOUR, JOAQUINA

DOC DATE: 03/03/1999

**ASSIGNOR:**

MAYORGA, JORGE

DOC DATE: 03/03/1999

**ASSIGNEE:**

LABORATORIOS PHOENIX USA, INC., A  
CORPORATION OF THE STATE OF  
DELAWARE  
1 BOCA PLACE, 2255 GLADES RD.,  
SUITE 324A  
BOCA RATON, FLORIDA 33431

SERIAL NUMBER: 09086871  
PATENT NUMBER: 6004582

FILING DATE: 05/29/1998  
ISSUE DATE: 12/21/1999

010773/0116 PAGE 2

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 16, 1999

PTAS

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P  
RICK MATOS  
P.O. BOX 688  
DALLAS, TX 75313-0688



\*101005592A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/01/1999

REEL/FRAME: 9863/0138

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FAOUR, JOAQUINA

DOC DATE: 03/03/1999

ASSIGNOR:

MAYORGA, JORGE

DOC DATE: 03/03/1999

ASSIGNEE:

LABORATORIOS PHOENIX U.S.A., INC.  
HUMAHUACA 4065  
1192 BUENOS AIRES, ARGENTINA

SERIAL NUMBER: 09086871

FILING DATE: 05/29/1998

PATENT NUMBER:

ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

### **CERTIFICATE OF INCUMBENCY**

The undersigned, ALFARO, FERRER & RAMIREZ (BVI) LIMITED, Registered Agent of **OSMOTICA CORP.**, (the "Company"), hereby certifies that:

I. The Company is a corporation established in the British Virgin Islands and has been legally in existence since February 22, 2000 on which date the Memorandum and Articles of Incorporation were registered with the Registrar of Companies of the British Virgin Islands.

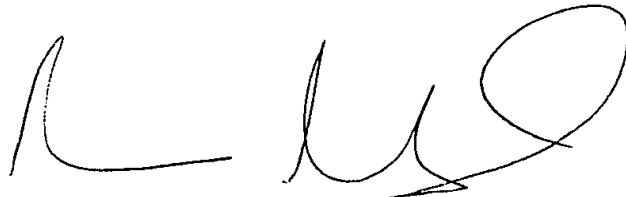
II. The Company is registered with the Registrar of Companies under number **370981** and its registered address is P.O. Box 915, R.G. Hodge Plaza, Second Floor, Upper Main Street, Road Town, Tortola, British Virgin Islands.

III. According to the corporate records, maintained by the Company in the Registered Office, the Directors of the Company is:

**INTERCORP SERVICES INC. – Director/Secretary**

IV. The Company is duly existing and in Good Standing under the laws of the British Virgin Islands.

Dated this 4th day of September, 2001.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a series of loops and a final flourish.

---

**ALFARO, FERRER & RAMIREZ (BVI) LIMITED**



## APPOINTMENT OF FIRST DIRECTOR

We, the undersigned, being the sole subscriber to the Memorandum of Association of **OSMOTICA CORP.**, a company incorporated under the laws of the British Virgin Islands, hereby appoint the following to be the first director of the Company:

**INTERCORP SERVICES INC.**

Dated this 22<sup>nd</sup> day of February, 2000

A handwritten signature in black ink, consisting of a series of loops and curves, positioned above a horizontal line.

**ALFARO, FERRER, RAMIREZ & ALEMAN (BVI) LTD.**

**CERTIFICATE OF INCUMBENCY**

The undersigned, ALFARO, FERRER & RAMIREZ (BVI) LIMITED, Registered Agent of INTERCORP SERVICES INC. (the "Company"), hereby certifies that:

I. The Company is a corporation established in the British Virgin Islands and has been legally in existence since the 19<sup>th</sup> day of April, 1995 on which date the Memorandum and Articles of Association were registered with the Registrar of Companies of the British Virgin Islands.

II. The Company is registered with the Registrar of Companies under number 147940 and its registered address is P. O. Box 915, R.G. Hodge Plaza, Second Floor, Upper Main Street, Road Town, Tortola, British Virgin Islands.

III. According to the corporate records, maintained by the Company in the Registered Office, the Directors and Officers of the Company are:

<u>NAME</u>	<u>OFFICES</u>
LUIS CARLOS ZARAK DE LA GUARDIA	DIRECTOR/PRESIDENT
HERIBERTO LEDEZMA	DIRECTOR/VICEPRESIDENT
ABDIEL MANSFIELD	DIRECTOR/SECRETARY
BRUNILDA GABRIELA BROCE	DIRECTOR/ASSISTANT SECRETARY
MIRIAM FIGUEROA	DIRECTOR / ASSISTANT SECRETARY

IV. That the Directors and/or Officers of the Company are fully authorized to represent and to act on behalf of the Company individually.

V. That the Company is duly existing and in Good Standing under the laws of the British Virgin Islands.

Dated this 4<sup>th</sup> day of September, 2001

  
\_\_\_\_\_  
**ALFARO, FERRER & RAMIREZ (BVI) LIMITED**